

Administrative Office of the Courts

Supreme Court of New Mexico

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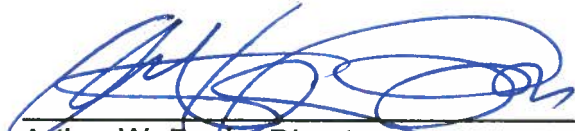
NEW MEXICO COURT INTERPRETER BACKGROUND CHECK POLICY AND FINGERPRINT CARD POLICY

Candidates for court interpreter certification who have passed the written and oral examinations required for certification as a New Mexico Court Interpreter and New Mexico Center for Language Access qualified Justice System Interpreters must submit an application and complete an NCIC (National Crime Information Center) background check (Triple III), and submit completed finger print card. Upon submission of an application, the AOC shall give the candidate fingerprint cards and a waiver form. It is the candidate's responsibility to go his/her local law enforcement agency or to the Department of Public Safety's office in Santa Fe, 4491 Cerillos Road, for fingerprinting. Costs for fingerprinting are the responsibility of the applicant. The fingerprint card and the waiver form must be returned to the AOC within two weeks of submission of the application. The AOC will then obtain a background with the fingerprints.

Subsequently, every two years, the Administrative Office of the Courts will complete a name-only NCIC background check, not requiring fingerprints, for all interpreters who have successfully completed the NCIC (Triple III) background check and are included in the New Mexico Directory of Certified Court Interpreters and Justice System Interpreters.

1. Any candidate who refuses to comply with this Policy shall not be certified as a New Mexico court interpreter.
2. The Administrative Office of the Courts will accept NCIC (Triple III) background check results from other agencies when the background check has been completed within one year of its submission to the Administrative Office of the Courts in compliance with this Policy and provided that a full copy of the report is provided to the Administrative Office of the Courts by the agency initiating the background check.
3. Any information obtained shall be marked "CONFIDENTIAL" and shall not be used for any purpose other than the application for court interpreter certification or any process related to certification.
4. No information obtained from the background check shall be given to any person, firm, or corporation.

5. If information obtained does not indicate a need for further action, pending the results of the candidate's reference checks, we will notify the applicant of his/her certification, inclusion in the New Mexico Directory of Certified Court Interpreters, and time and place of swearing in.
6. If relevant adverse information, which is determined to directly impact the applicant's appropriateness for providing court interpreting, is confirmed, we will inform the applicant and allow forty-five (45) days from notification to clarify the findings.
7. The Administrative Office of the Courts is prohibited from sharing with the applicant any information obtained from the NCIC background check or finger print cards. The applicant may obtain a copy of these criminal history reports directly from the Department of Public Safety. The costs of obtaining a copy of these reports are the responsibility of the applicant.
8. The applicant's criminal history and his/her clarifying information will be reviewed by the Court Services Division Director. The Court Services Division Director in consultation with the Statewide Program Manager will consider the relevance of the criminal history to the profession of court interpreting, the period of time since the conviction date (s) and any evidence of rehabilitation submitted by the candidate.
9. Based upon its review, the Court Services Division Director will decide whether to grant or deny New Mexico Court Interpreter Certification. If the Court Services Division Director denies certification based on a candidate's criminal history, the candidate may appeal the Court Services Division Director's decision to the Director of the Administrative Office of the Courts by filing a written appeal with the Administrative Office of the Courts within thirty (30) calendar days of the date of the Court Services Division Director's decision.
10. The Director of the New Mexico Court Administrative Office of the Courts shall hear the appeal solely on the written information in the candidate's application file, including information submitted by the candidate, unless, in the Director's sole discretion, he permits the candidate to file additional written information. The Director of the Administrative Office of the Courts shall issue a written decision on the candidate's appeal within 45 days of submission of the appeal.
11. Each candidate will be required to sign the Waiver Authorization form.



Arthur W. Popin, Director
New Mexico Administrative Office of the Courts

Effective: November 1, 2009
Revised: May 14, 2010

**NEW MEXICO COURT INTERPRETER
BACKGROUND CHECK WAIVER AUTHORIZATION**

Having passed the required written and oral examinations, having successfully completed the New Mexico Center for Language Access Justice System Interpreter Training, or having been qualified by the New Mexico Commission for the Deaf, I am applying for New Mexico Court Interpreter Certification and/or inclusion in the New Mexico Directory of Certified Court Interpreters and Justice System Interpreters.

This Waiver Authorization expressly authorizes the New Mexico Administrative Office of the Courts to conduct an NCIC background check and submit finger print cards to the Department of Public Safety and to conduct biennial NCIC name-only background checks. The release of the requested information is necessary for the purpose of working as a Certified Court Interpreter or being registered as a Justice System Interpreter by the New Mexico Administrative Office of the Court. The authorized information is not to be given to any other person, firm or corporation. The undersigned may withdraw this consent at any future time, in writing.

Print full name _____
First Middle Last

Maiden Name _____

Signature _____

Address _____
Street No. City State Zip Code

Date of Birth _____ Place of Birth _____

Social Security Number _____

Witness Signature _____

Date _____